

**SURFACE TRANSPORTATION BOARD****SECTION OF ENVIRONMENTAL ANALYSIS****POST ENVIRONMENTAL ASSESSMENT**

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-55 (Sub-No. 680X)

**September 17, 2007**

**ABANDONMENT TYPE**

The time for comments on the Environmental Assessment (EA) has expired in this:

( X ) Notice of Exemption ( ) Petition for Exemption ( ) Regulated Abandonment

( ) **NO NEW COMMENTS WERE RECEIVED**

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SEA served an Environmental Assessment (EA) for this proceeding on August 31, 2007, for public review and comment. In the EA, SEA recommended two environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

**Comments on the EA**

SEA received one consultation response on the Environmental Report (ER) from the Commonwealth of Virginia, Department of Environmental Quality (VDEQ) after issuance of the EA. Based on its review of the ER, VDEQ concludes that the proposed abandonment is consistent with the Virginia Coastal Resources Management Program (VCP). VDEQ advises that project activities must be carried out in strict accordance with all other applicable state, Federal, and local laws and regulations. Based on the information contained in the ER, it appears that the proposed activity would have no effect on fisheries management, subaqueous lands management, wetlands management, dunes management, point source pollution control, shoreline sanitation, and coastal lands management. VDEQ has concerns with respect to enforceable policies in the areas of wetlands management, non-point source pollution control, and air pollution control. SEA therefore recommends that condition #1 of the EA be modified to no longer require that CSXT determine whether coastal management consistency certification is required, but instead to require that CSXT consult with VDEQ to address VDEQ's concerns about wetlands management, non-point source pollution control, and air pollution control. SEA does not recommend any changes to condition #2 (SHPO condition) of the EA.

## Conclusions

The EA comment period has ended. Accordingly, SEA recommends that the conditions recommended in the EA, as modified by the recommendations in this document should be imposed upon any decision granting abandonment authority. The conditions are:

1. CSX Transportation, Inc. (CSXT) shall consult with the Virginia Department of Environmental Quality (VDEQ) prior to beginning any salvage activities to address VDEQ's concerns about wetlands management, non-point source pollution control, and air pollution control.
2. CSX Transportation, Inc. (CSXT) shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. CSXT shall report back to the Section of Environmental Analysis regarding any consultations with the Virginia Department of Historic Resources and the public. CSXT may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

If these conditions are imposed, SEA believes that the proposed action will not significantly affect the quality of the human environment.

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